

Amendments to the Claims:

This listing of claims will replace all prior versions, and listings, of claims in the application:

Listing of Claims:

1. (Currently Amended) An isolated promoter that drives transcription in a seed-preferred manner, wherein said promoter comprises a nucleotide sequence selected from the group consisting of:
 - a) the nucleotide sequence set forth in SEQ ID NO: 1; and
 - b) a sequence comprising a fragment of the nucleotide sequence set forth in SEQ ID NO: 1; wherein the fragment regulates transcription in maize seed embryo from 15 to 40 days after pollination.
- 2-5. (Cancelled)
6. (Previously Presented) An isolated promoter that is capable of driving transcription in a seed-preferred manner, wherein said promoter comprises the nucleotide sequence set forth in SEQ ID NO: 1.
- 7-20. Cancelled
21. (Currently Amended) An expression cassette comprising a promoter and a first nucleotide sequence operably linked to the promoter, wherein the promoter initiates seed-preferred transcription of the first nucleotide sequence in a plant cell, wherein the promoter comprises a second nucleotide sequence selected from the group consisting of:

- a) the nucleotide sequence set forth in SEQ ID NO: 1; and
- b) a sequence comprising a fragment of the nucleotide sequence set forth in SEQ ID NO: 1; wherein the fragment regulates transcription in maize seed embryo from 15 to 40 days after pollination.

22-40. (Cancelled)

41. (Previously Presented) The expression cassette of claim 21, wherein the promoter comprises the nucleotide sequence set forth in SEQ ID NO: 1.

42-43. (Cancelled)

44. (Currently Amended) An isolated promoter that drives transcription in a seed-preferred manner, wherein said promoter comprises a fragment of the nucleotide sequence set forth in SEQ ID NO: 1; wherein the fragment regulates transcription in maize seed embryo from 15 to 40 days after pollination.

45. (Currently Amended) The expression cassette of claim 21, wherein the promoter comprises a fragment of the nucleotide sequence set forth in SEQ ID NO: 1; wherein the fragment regulates transcription in maize seed embryo from 15 to 40 days after pollination.